

**MINUTES**  
**PROTECTION & WELFARE COMMITTEE**  
**Monday, November 28, 2016**  
**City Hall, Room 207**  
**5:00 p.m.**

**MEMBERS PRESENT:** Chairperson Ald. Scannell, Vice Chairperson Ald. Dorff,  
Ald. Galvin, Ald. Zima

**MEMBERS EXCUSED:** None

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Asst. City Atty Kristen Johnson, Captain Todd LePine,  
Ald. Joe Moore, Ald. David Nennig

1. Roll Call.  
The meeting was called to order Chairman Scannell at 5 p.m.
2. Approval of the Agenda.  
Moved by Ald. Dorff, seconded by Ald. Galvin to approve the agenda as presented. Motion carried.
3. Approval of the minutes from the October 24, 2016 meeting.  
  
Moved by Ald. Galvin, seconded by Ald. Dorff to approve the minutes from the October 24, 2016 meeting as presented.
4. Approval of the minutes from November 14, 2016 meeting.  
  
Moved by Ald. Galvin, seconded by Ald. Dorff to approve the minutes from the November 14, 2016 meeting as presented.
5. Notice of the change of agent for Kwik Trip, Inc. at 1871 Shawano Ave.  
  
No objections from the City Attorney's Office, nor from the Police Department.  
  
Motion by Ald. Zima, seconded by Ald. Galvin to approve the change of agent for Kwik Trip at 1871 Shawano Ave.  
  
Motion Carried
6. Consideration with possible action on a review of Lisa Keith's operator license, which was approved at May 17, 2016 City Council's Meeting, but subject to review at 6 months.  
  
No objections from the City Attorney's Office, nor from the Police Department as there have been no violations.

Moved by Ald. Zima, seconded by Ald. Zima to receive and place on file. Motion carried.

7. Consideration with possible action on an appeal by Matthew Czarnecki to the denial of his Operator License Application.

City Attorney's Office has no objection to granting the appeal. He does have pending charges with the Brown County District Attorney's Office, but has not been resolved. Even if they were, they are not substantially related.

Motion to approve by Ald. Zima, seconded by Ald. Galvin to approve the appeal. Motion carried.

8. Consideration with possible action a request by Ald. Moore to review the policy on liquor licenses, specifically focused on review, suspension and revocation.

Asst City Atty Kristen Johnson spoke with Ald. Moore to have a clearer understanding of the intent of the request. It was primarily in response to the concern that the process to revoke or suspend took a while and maybe wasn't the most efficient. Asst City Atty Johnson said we have to strictly conform to the rules set out by state statutes for revocation and suspension of liquor license.

Asst City Atty Johnson noted the process in chapter 125, where a violations takes place, a complaint is filed by a constitute or department. It would then go to a quasi-judicial hearing and brought to P&W and City Council meetings. A license cannot be suspended until the hearing takes place.

Asst City Atty Johnson said if the Police Department or constitute doesn't raise the concern, it will just be a violation on their record. It is not automatically recommended for suspension or revocation.

Ald. Galvin hoped there would be a process in place to allow for suspension or revocation before a business becomes a drain on community resources.

Asst City Atty Johnson recommended that when a violation does occur, it could brought up to a P&W committee or with the Police Department. Captain Todd LePine suggested contacting the district captains when a violation occurs.

Ald. Zima said historically, at license renewal time, the Police Department would bring forward problem properties place them on notice. He noted it helped quite a bit.

Ald. Dorff asked which offenses can lead to revocation.

Asst Cty Atty Johnson noted disorderly house, violating drug crimes and serving underage kids.

Captain LePine noted there are a lot of checks and balances with the Police Department where there are fewer properties getting to the last step. We have community police officers that work with bars and create bar plans. If a location has a lot of police calls, the police address it by meeting with the owners and managers. There would be a lot of steps already taken before being addressed by the committee.

Ald. Moore wanted to review the policy to avoid previous situations where a problem property was still operating despite multiple violations. I think that within state regulations, we need to expedite the judiciary hearing and get a license yanked in a timely manner.

Ald. Galvin said Vicenzi's Bar was an example of the system not working. Ald. Galvin agreed with Ald. Moore that a speedier process would be ideal and it sends the message that a license is a privilege.

Moved by Ald. Zima, seconded by Ald. Dorff to receive and place on file. Motion carried.

9. Consideration with possible action a request by Ald. Scannell to consider imposing a liquor moratorium on all convenience stores as well as phasing out current licenses.

Asst Cty Atty Johnson indicated that current licenses cannot be taken away unless they have a violation.

The committee would be able to place a moratorium on new licenses or deny them as they come in.

Ald. Galvin asked what happens to a license if a convenience closes or changes ownership. Asst Cty Atty Johnson stated it would be considered a new license, and therefore, would be up to the committee if they wanted the license granted.

Ald. Galvin suggested for fairness, a city wide moratorium should be established to let potential owners know we are not granting any new licenses. Furthermore, if a current establishment is to have a violation, they can expect to have their license pulled. Also, if they sell, the new place would not be able to obtain a license.

Ald. Dorff asked what data supports if a convenience store has a liquor license there is a problem? She knew that the question was hypothetical, but would like to see more data to see a reason to make the change.

Ald. Galvin feels that wine and beer also needs to be addressed as habitual drunkards and alcoholics is not just a hard liquor issue. We need to get some data to pinpoint where the issue is taking place, for example, is it because of other places where liquor is sold? He noted this change would affect the businesses in our community.

Ald. Scannell said currently, our neighborhoods are being flooded with alcohol and if there is a way to “turn off the tap,” we should look into that. There are disorderly, litter, and loitering concerns as well. He was hoping for a consistent policy.

Ald. Zima stated alcoholism is a serious problem everywhere. With more access to alcohol, there is more promotion. Historically, alcohol sales were strictly controlled through taverns or a liquor store, and they strictly adhered to the rules as their lively hood depended on it. In the last 25 years it has changed where we made it easier to violate law because so many more people dealing with it. There is a looser gauge, with more potential issues and violations. He suggested doing sting operations to see how easy it is to purchase alcohol at these places.

The feedback he received from his neighborhood association is that we are not doing much to “turn the spicket” off. His goal is to keep them away from neighborhoods as much as possible. Easy access to alcohol is not a positive thing in the neighborhood.

Ald. Dorff asked the committee to define the problem. She wants to narrow down what the intent of this is.

Ald. Zima said the more promotion, the more it is in the public eye.

Ald. Galvin said it would be difficult to find where people are buying the alcohol when committing crimes. Furthermore, compliance checks are only going to check if people are checking for proper id when buying.

Alcohol is a problem, and this could be a start to prohibit selling it in convenience stores. He suggested reaching out to state organizations that has more studies to help the committee make the decision.

Ald. Dorff asked if we deny licenses to convenience stores, then what problem would we have solved. What difference will we have seen? She could not find the

answer to that. There are studies that have shown what communities can do to help with alcoholism.

Ald. Galvin noted with cigarettes, there was not a limited access to it, but rather educational programs that went through multi-generations to help with the problem. Limiting access to alcohol might be part of the solution, but not the whole solution.

Motion by Ald. Dorff, seconded by Ald. Galvin to open the floor. Motion carried.

Joe Lambert from Denmark, WI:

Mr. Lambert has owned multiple convenience stores through central Wisconsin. He has now moved back to Brown County and has considered building a convenience store with in Green Bay. He would like the same opportunity as other convenience stores in the area. A convenience store's purpose is to be convenient for all of their customers. Before planning, he would like to know if he could get a liquor license.

The committee listed the various the reports that the police department and legal staff will compile to help with making a decision.

Moved by Ald. Zima, seconded by Ald. Galvin to refer to staff for more information a request by Ald. Scanell to consider imposing a liquor moratorium on all convenience stores as well as phasing out current licenses.

Motion made by Ald. Zima, seconded by Ald. Dorff to adjourn at 6:06 p.m.

Motion carried